

THE SECRETARY OF STATE
WASHINGTON

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MEMORANDUM FOR: THE PRESIDENT
FROM: Cyrus Vance
SUBJECT: Indochinese Refugees

ISSUE FOR DECISION

In connection with my recommendation to you that 15,000 additional Indochinese refugees be paroled into the United States, Congressman Eilberg, Chairman of the House Judiciary Sub-Committee on Immigration, Citizenship and International Law, has proposed in a letter to you an international conference to deal with continuing Indochinese refugee problems. The problem is how to deal with Eilberg's recommendation without delaying consideration of the parole action.

The Congressman is correct in pointing out that the parole action for 15,000 refugees is a stop-gap measure. Refugees will continue to flee Indochina for some time to come. He is also correct in noting that the International response has been inadequate. I believe that we should press forward on an urgent basis with a parole action to admit 15,000 Indochinese refugees. In announcing your decision to seek Congressional concurrence for such an action, however, I think we should comment favorably on Mr. Eilberg's proposal and indicate we will be studying the best forum in which such a conference might be implemented.

DISCUSSION

Congressman Joshua Eilberg in his capacity as Chairman of the House Sub-Committee on Immigration, Citizenship and International Law held a press conference during which

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he released a copy of a letter he has sent to you proposing that you take the lead in convening an International Conference on Indochinese refugees. A copy of the Congressman's letter (Tab B) and statement (Tab C) are attached.

It is true, as Mr. Eilberg points out, that the International community has not responded adequately to the critical situation of the Indochinese refugees. Ship captains are ignoring their obligations to pick-up refugees in distress because of the difficulty involved in landing them and temporary asylum is being denied in several places. France is the only country still providing resettlement opportunities to Indochinese refugees in significant numbers and the main financial burden for assistance to refugees still in South East Asia is provided by the United States.

On the other hand the international community has generally regarded the Indochinese refugee problem as a uniquely American obligation. Despite this, a few countries have accepted substantial numbers. Indeed putting aside the initial major evacuation, largely to the United States, the record of the international community is not unanticipated. Of the 50,000 Indochinese refugees resettled from Thailand for instance, only about 18,500 came to the United States. Additionally, Thailand itself is presently left with about 80,000 refugees in camps, many of whom will not be resettled elsewhere.

In the past year, the Congress has shown an increasing desire to see this problem internationalized and we have sought to encourage this in our bilateral contacts with the United Nations High Commissioner for Refugees (UNHCR) and with other countries.

The Congressman recalls that President Roosevelt invoked 32 nations in July 1938 to meet at Evian les Bains in France to consider what steps might be taken to facilitate the settlement of almost 800,000 political refugees from Germany and Austria. The magnitude of the Indochinese refugee problem is, of course, substantially less than this. There are, however, a number of problems associated with these refugees which we have been unsuccessful in dealing with bilaterally which seems particularly appropriate to consideration in an international forum. As noted,

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these include failure of ship captains to pick-up refugees in distress at sea and the refusal of certain South East Asian nations to grant temporary asylum. These two points plus efforts to encourage greater international participation in funding and the provision of resettlement opportunities are included in Eilberg's proposed agenda.

The situation of the Indochinese refugees calls for prompt action in moving forward, as authorized by you, to seek a parole action for 15,000 refugees. The development of a conference on this subject will take some time and the very real danger is that these refugees may be turned back to sea if the countries of first asylum feel no assurance that the refugees' stay will only be temporary. Additionally, without such a parole action, the United States is not in a strong position to urge such a conference. While we have taken by far the largest share of the Indochinese refugees over-all, in 1977 we have taken only about 650 while France has accepted well over 5,000.

Congressman Eilberg is quite correct, however, in noting that the proposed parole action is a stop-gap measure. Additionally, while he has stated that he would not oppose such a program, he considers the over-all problem is an international responsibility. This is in line with our own efforts to internationalize the problem though, obviously the international community will expect the United States to continue to contribute to a solution of the problem both financially and in resettlement opportunities.

Thus, Eilberg's call for a special international conference, though probably intended to block or delay the parole proposal, could prove useful in obtaining certain United States policy objectives. Such a conference should include participation by senior members of the legislative and executive branches. Voluntary agencies as well as nations of traditional immigration and countries of first asylum in Asia should be included.

The problem with such a conference is the forum. An initiative by the United States in calling the conference underlines the special United States interest in these refugees whose problems we are now trying to internationalize and could, therefore, be counterproductive. This was not a problem we faced with the Evian conference. The ideal solution would be for the Secretary General or the UNHCR

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to call such a conference. Alternatively, the countries of traditional immigration might be persuaded to jointly sponsor such a conference. While accepting the utility of further international consideration of this problem, the format should probably be left open for the present.

RECOMMENDATION

-- That, in the context of your decision on the parole action, you comment favorably on Congressman Eilberg's proposal as useful in dealing with continuing problems which may be expected in connection with Indochinese refugees, leaving open the question of the format or sponsorship of such a conference. (Suggested language attached -- Tab A.)

Approve _____ Disapprove _____

Attachments:

Tab A - Proposed Statement on Eilberg Proposal

Tab B - Letter from Congressman Eilberg to the President

Tab C - Statement by Congressman Eilberg

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PROPOSED STATEMENT ON PAROLE ACTION FOR INDOCHINESE
REFUGEES AND CONGRESSMAN EILBERG'S PROPOSAL
FOR AN INTERNATIONAL CONFERENCE

In recent months the numbers of refugees from the countries of Indochina have increased substantially. There are now over 80,000 in Thailand and over 5,000 in other nearby countries. At the same time resettlement opportunities for these desperate people have declined. The result is a problem of such compelling nature that I am confident the American people would not want - would not permit - their government to fail to make a humanitarian effort to assist in its solution.

Whatever our memories of the events of recent years in Vietnam, Cambodia, and Laos, we cannot now watch from the sidelines as new tragedies take place - as small boats filled with men, women, and children are lost at sea because countries do not permit them to land or large ships ignore their distress signals for fear that they may have the refugees aboard for long periods since few nations are willing to let them ashore. We cannot look away from the crowded refugee camps in Thailand so that the hopelessness in the eyes of those who have been there for months does not affect us.

Therefore I am instructing today Secretary Vance and Attorney General Bell to take the necessary steps for the emergency admission of 15,000 Indochinese refugees, as recommended by the Department of State. Those 15,000 include refugees who have escaped their homeland by boats and refugees who fled by other means to Thailand. In the course of preparing for this program consultations will be undertaken with the Congress, for I hope the members of that branch of the government share with me the concern we should all have about this critical issue that calls for emergency measures.

Already I have received many indications from Senators and Representatives that the problem must be met, and not only for the short term by the parole admission of 15,000. The Indochinese refugee problem is much larger, as I indicated, and will go on. For the longer term measures must also be taken. Senator Kennedy has supported this parole action as well as a long range approach to the Indochinese refugee problem. Congressman Eilberg, Chairman of the Sub-committee on Immigration and International Law of the House of Representatives, has proposed

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that an international conference be called to produce a solution to what is an international, not only an American problem. While I believe that the initiative for such a conference should be from the international community generally rather than solely from the United States, I welcome Chairman Eilberg's offer of support in such an endeavor. Accordingly I am instructing Secretary Vance and the Department of State's Coordinator for Human Rights and Humanitarian Affairs, Patricia Derian, to explore this proposal with the aim of effecting its goals. They will be in close contact with United Nations Secretary General and with the international organization created to protect and assist refugees throughout the world, the United Nations High Commissioner for Refugees, whose representatives are already caring for the thousands in Southeast Asia.

I am grateful for Representative Eilberg's proposal, and I hope the sympathy to the plight of the homeless that inspired it is shared by others in the Congress and throughout the country.

I ask that Americans open their doors and hearts to these victims of repression, so that the 15,000 refugees to be admitted now can be welcomed here as were others in the aftermath of the war. It is to be our best selves that I ask. I have no fear of being disappointed in expecting that we will continue to be that.